

Notice of Allowability

Application No.

09/586,625

Examiner

Shulamith H. Shafer, Ph.D.

Applicant(s)

BARBAS ET AL.

Art Unit

1647

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/12/07.
2. ☒ The allowed claim(s) is/are 1-3, 5, 6, 8, 10-35, 37-39, 41, 42, 46, 69-89, 94, 95, now renumbered 1-61.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 2/16/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Seidman on 15 May 2007.

The application has been amended as follows:

In claim 8:

In line 3 of the claim, delete "]" between the words "each" and "modular".

Claim 10 has been amended as follows:

In line 2 of the claim, delete "or variants thereof" after the word "fingers"

Claim 15 has been amended as follows:

In line 3 of the claim,

Delete "," between the words "derivatives" and "multimers"

insert --or-- between the words "derivatives" and "multimers"

delete "and combinations" between the words "multimers" and "thereof"

In line 4 of the claim,

Delete the word "have" and substitute the word --retain-- between the words "that" and "transcription"

Claim 16 has been amended as follows:

In line 3 of the claim, delete the word "has" and substitute the word --retains-- between the words "that" and "transcription"

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Claim 17 has been amended as follows:

In line 3 of the claim, insert the phrase --that retains transcription activation activity -- after the word "thereof"

Claim 18 has been amended as follows:

In line 3 of the claim, delete the word "has" and substitute the word --retains-- between the words "that" and "transcription"

Claim 21 has been amended as follows:

In line 3 of claim, delete "," between the words "derivatives" and "multimers"

Insert --or-- between the words "derivatives" and "multimers"

Delete "and combinations " between the word "multimers" and "thereof"

Insert --that retain transcription repression activity-- after the word "thereof"

Claim 70 has been amended as follows:

In line 1 of the claim, insert --)-- after the word "Amended"

Claims 90-93 are cancelled.

Claim 95 has been amended as follows:

In line 1 of the claim,

Delete "combinations are selected from among" between the words "the" and "KRAB-ERD" and

insert --transcription repression domain is a combination of domains selected from the group consisting of-- between the words "the" and KRAB-ERD

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shulamith H. Shafer, Ph.D. whose telephone number is 571-272-3332. The examiner can normally be reached on Monday through Friday, 8 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Nickol, Ph.D. can be reached on 571-272-0835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SHS

A handwritten signature in black ink, appearing to read "Lorraine Spector". The signature is fluid and cursive, with a large initial "L" and a long, sweeping underline.

LORRAINE SPECTOR
PRIMARY EXAMINER